

REMARKS

In response to the official office action of December 6, 2004, applicant has amended the specification and claim 2 by changing the name "plate member" to "arch" and by adding the words "holding and". Even though the applicant has made this change, the applicant has provided herewith documents of accepted engineering practice that supports the applicant's contention that a plate member can be curved.

In addition, applicant disagrees with the examiner's rejection of claim 2 under 35 U.S.C. 102 and claims 3-7 under 35 U.S.C. 103 in view of the stated prior art, because neither Trahan nor Benoit describes an arch which according to the Webster's New World Dictionary is defined as having space disposed below the arch. In Trahan, the roller support member 14 is not an arch but, instead, it is a body or block having a curved outer surface. From experience, Trahan is a big clumsy apparatus which cannot be and has never been economically produced and sold on the market. Trahan is way too expensive to produce. Just the weight of the roller support member 14 would make it cost prohibitive; whereas, the arch, in the present invention, because of its structure which weighs much less than the roller support member 14 in Trahan, has made it practical to economically produce and sell the crab meat extracting apparatus on the market. In fact, the applicant is beginning to accomplish this task, something nearly 99% of all inventions including Trahan has not and never will. The applicant has included herewith a testimonial letter from an independent supermarket group in Louisiana describing the marketability of the present invention, and has also included the packaging box he has developed and designed for marketing his product. In addition, I, the attorney of record, can elaborate further, because I am getting out of the practice of patent law, and have gone into business with a Chinese manufacturer, and I have found that weight of a product is very critical to its success. The crab meat extracting

apparatus weighs less than 6 pounds. According to the Chinese manufacturer, the apparatus in Trahan would weigh well over 20 pounds.

In addition, neither Trahan nor Benoit describes a longitudinally curved crab compressing plate that is hingedly attached to one of the planar end portions of the crab support member, a structural limitation not described by either Trahan nor Benoit. Instead, Trahan describes a tongue 34 which is mounted to the roller support member 14. The tongue 34 is not longitudinally curved and is not hingedly attached to the roller support member 14, but instead, the tongue 34 is an extension from the roller support member 14. Not only does the curved crab compressing plate compress the crab to squeeze the crab meat out of the shell, but it also holds onto the crab before it is squeezed unlike the tongue in Trahan. The tongue in Trahan does not hold onto the crab. Instead, the crab is supported by teeth disposed upon the roller support member 14. Also, the tongue does not compress the crab meat out of the crab unlike the present invention. Instead, it smashes the crab with the help of the teeth. The present invention does not have any teeth to hold the crab; instead, the curved crab compressing plate inherently holds the crab since there are no teeth. In addition, neither Trahan nor Benoit describes a bracket member being attached to the top side of the planar base member. Instead, Trahan describes the handle being attached to the roller support member 14 and Benoit doesn't describe anything of the sort. As described above, none of the prior art describes the structural limitations of the present invention. Please note that the applicant has just begun mass production of his crab meat extracting apparatus. It is not a fly by night or seat of the pants invention unlike 99% of the patents. In order to find a rejection under 35 U.S.C. 102, the inventions must be exactly the same. Trahan and the present invention aren't even close to being the same.

Applicant has not added any new subject matter to the claims and

respectfully request that the examiner takes the foregoing into consideration and that he be granted Letters Patent for his invention.

Respectfully Submitted,
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